

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA

Tony Fountain #152157
Plaintiff,

Case No. 2:06-CV-548-
MHT

VS.

Dr. Peasant, et al
Defendants.

Exhibit-6

AFFIDAVIT IN SUPPORT OF
Plaintiff Request For physical
Examination, pursuant to Rule 35
Fed. R. Civ. P.

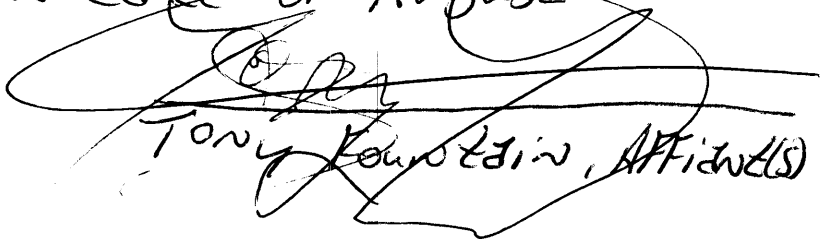
My name is Tony Fountain, the undersigner in the above styled Cause, I'm over 21 years of age and can testify to the facts herein in any court of law. And that the facts herein are true and correct to the best of my knowledge and belief. on or about February 20 2006 I noticed spots of blood in my stool after defecating. Plaintiff stress the facts that his symptoms has progressed substantially to point now I'm seeing clots of individual blood after defecating (using the toilet). And that the afore said symptoms I'm experiencing have had

a mental effect upon me. I constantly worries all the time whether or not I have prostate and/or Colon Cancers. I'm unable to get the proper sleep and rest, because I constant awake throughout the nights with bad dreams associated with these symptoms. I was told by Dr. peasant that I need a Colonostic examine in order for him to diagnose and treat these symptoms. I have yet to be taken out for such examination as of this date. Plaintiff stresses the facts that his physical Health and life along with his Eye-sight is in Controversy, and that the defendants deliberately acts of not diagnosing and treating my symptoms is a direct violation of My Constitutional Rights at 1st, 8th & 14th Amendment of the United States. Estelle v. Gamble — 501 U.S. 251. And that the named defendants has a duty to provide me with adequate medical attention pursuant to afore mentioned Constitution. And the Code of Ala. (1975) §14-3-43 Removal of Convicts, disease or other urgency necessity, §14-3-1 Duty of Board of Corrections, §14-3-30 (a) & (b).

2) plaintiff stress the facts that the named defendant and their agents acting in direct concert

with each others has yet to diagnose and treat my symptoms as of this day. And if I can not get help from a legal constitute Court in ordering the defendant to take me to a suitably licensed or certified examiner capable of diagnosing and treating my symptoms the law would and will fail to serve its purpose and society as a whole. A plain laymen knows these symptoms I am experiencing are prevalence in men's my age (43, soon will be 44) and between 40-65 years of age and have been known to be a number one killer among African-American men. My health and life is in controversy here I need help bad. Anything further your AFFIDANT(S) SAY-TH Nought!

Done on 6th this date of August 2006.


Tony Fountain, AFFIDANT(S)

AFFIRMED AND SUBSCRIBED

BEFORE ME, James H. Luchey Jr. ON
THIS 6th DAY OF AUGUST 2006.

MY COMMISSIONS EXPIRES:

1/28/08 Elmore, AL